

MEMORANDUM

Agenda Item No. 6(C)

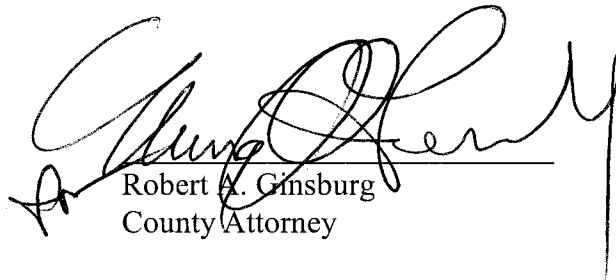
TO: Hon. Chairperson Barbara Carey-Shuler, Ed.D.
and Members, Board of County Commissioners

(Second Reading 2-3-04)
DATE: December 4, 2003

FROM: Robert A. Ginsburg
County Attorney

SUBJECT: Ordinance establishing guide-
lines to achieve maximum
federal matching funding for
Health, Social and Human
Services Programs

The accompanying ordinance was prepared and placed on the agenda at the request of
Chairperson Barbara Carey-Shuler, Ed.D., Commissioner Dorrin D. Rolle and Commissioner
Natacha Seijas.



Robert A. Ginsburg
County Attorney

RAG/jls



MEMORANDUM

TO: Honorable Chairperson Barbara Carey-Shuler, Ed. D. and Members, Board of County Commissioners **DATE:** February 3, 2004

FROM: George M. Burgess, County Manager  **SUBJECT:** Ordinance Establishing Guidelines to Achieve Maximum Federal Matching Funding for Health, Social and Human Services Programs

It is anticipated that the proposed ordinance, establishing guidelines to achieve maximum federal matching funding for Health, Social, and Human Services Programs, will require the use of existing, budgeted staff in the Revenue Maximization and Grants Coordination Unit of the Office of Strategic Business Management. Depending on the actual volume of work, additional staff may be required. However, because increased revenues are expected, it is not anticipated that this ordinance will have a negative fiscal impact or require the use of unbudgeted County resources.




MEMORANDUM

(Revised)

TO: Hon. Chairperson Barbara Carey-Shuler, Ed.D.
and Members, Board of County Commissioners

DATE: February 3, 2004

FROM: 
Robert A. Ginsburg
County Attorney

SUBJECT: Agenda Item No. 6(C)

Please note any items checked.

- ☐ "4-Day Rule" ("3-Day Rule" for committees) applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Bid waiver requiring County Manager's written recommendation
- ☐ Ordinance creating a new board requires detailed County Manager's report for public hearing
- ☐ Housekeeping item (no policy decision required)
- ☐ No committee review

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 6 (C)

2-3-04

ORDINANCE NO. _____

ORDINANCE ESTABLISHING GUIDELINES FOR MIAMI-DADE COUNTY TO ACHIEVE MAXIMUM FEDERAL MATCHING FUNDING FOR HEALTH, SOCIAL AND HUMAN SERVICES PROGRAMS IN ACCORDANCE WITH THE LOCAL REVENUE MAXIMIZATION ACT; PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE

WHEREAS, the 2000 Census showed that the State of Florida receives less per person in federal revenues than other southeastern States; and

WHEREAS, on June 12, 2003, Governor Jeb Bush signed into law CS/CS/SB 1454 (Ch. No. 2003-146), which is codified as Section 409.017, Fla. Stat. (2003), creating the Local Funding Revenue Maximization Act (the "Act") to enhance the ability of the State of Florida and its agencies and political subdivisions, such as Miami-Dade County, to achieve maximum federal matching funding for health, social and human services programs; and

WHEREAS, to achieve maximization of federal matching funding, the Act authorizes the use of certified local funding for federal matching programs to the fullest extent possible;

WHEREAS, the Act mandates that State agencies involved in the provision of programs for health, social or human services to the residents of the State of Florida, including, but not limited to, the Agency for Health Care Administration, the Agency for Workforce Innovation, the Department of Children and Family Services, the Department of Elderly Affairs, the Department of Juvenile Justice and the Florida Board of Education shall establish programs and mechanisms designed to maximize the use of certified local funding; and

WHEREAS, the Act provides that political subdivisions may voluntarily participate in the programs and mechanisms established by State agencies; and

WHEREAS, it is in the best interest of the residents of Miami-Dade County for the County to maximize its receipt of federal matching funds so that residents can be provided and receive the benefit of enhanced programs for health, social and human services from the County,

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA:

Section 1. Legislative Findings and Purpose.

It is in the best interest of the County to ensure to the greatest extent possible that the County evaluates, utilizes and participates in all systems, programs or other vehicles available for maximizing its receipt of federal matching funds in accordance with the Local Funding Revenue Maximization Act.

Section 2. Definitions.

The terms used in this Ordinance shall have the following meaning, unless the context clearly implies a different intent:

- a. County shall mean Miami-Dade County and all of its departments, offices, agencies and instrumentalities.
- b. Act shall mean the Local Funding Revenue Maximization Act, Section 409.017, Fla. Stat. (2003), as amended from time to time.
- c. Federal Funds Maximization Program shall mean the County's program for maximizing federal matching funds under the Act.
- d. State shall mean the State of Florida and its agencies or departments that are involved in providing programs for health, social and human services, including, but not limited to, the Agency for Health Care Administration, the Agency for Workforce Innovation, the Department of Children and Family Services, the Department of

Elderly Affairs, the Department of Juvenile Justice and the Florida Board of Education.

- e. All other terms used in this Ordinance shall have the same meaning as such terms have in the Act.

Section 3. Participation in State Programs for Federal Matching Funds.

The County shall: (a) participate to the greatest extent possible in all programs and mechanisms established by the State pursuant to the Act; (b) identify all certified local funds of the County (whether County funds or, to the extent provided or allowed by federal law, private funds) which are available, or potentially available, for utilization in maximizing the County's receipt of federal matching funds; and (c) submit proposals to the State in accordance with the Act and the Federal Funds Maximization Program.

Section 4. Responsibility of County Manager; Administrative Orders.

The County Manager shall develop policies for the Federal Funds Maximization Program through an administrative order which shall include, but not be limited to, the following: (i) identification of federal matching fund opportunities and State programs available for maximizing federal matching funds; (ii) creation and maintenance of an inventory of all available local funds (including private funds to the extent provided by federal law) that may qualify as certified local funds pursuant to the Act and periodic review of this inventory; (iii) development and submittal of proposals that comply with the rules, regulations and other requirements promulgated by the State; (iv) seeking and monitoring State approval of the proposals, provided that the Commission shall approve all County proposals prior to their being submitted to the State; (v) implementation and monitoring of State-approved County programs which have been awarded revenue maximization funds; (vi) maintenance of the documentation, records, information and databases necessary to maximize federal matching funds in subsequent

years; and (vii) submittal of quarterly reports to the Commission regarding the Federal Funds Maximization Program which shall include, but not be limited to, information on funds received and disbursed, problems encountered and recommendations. Based upon the availability of State programs related to health services, the County Manager's first priority shall be to maximize federal matching funds for health services.

All entities, such as community-based organizations, other municipalities, special districts and instrumentalities of the County, that receive County funds for health, social or human services shall provide such documentation, records, information and data required by the County Manager to assist the County Manager in fulfilling his or her responsibilities hereunder.

Section 5. Receipt of Federal Matching Funds. Funds received by the County through the Federal Funds Maximization Program shall be disbursed by the Commission by a resolution in a manner that benefits the greatest number of Miami-Dade County residents in need of health, social and human services. The County shall maintain autonomy of revenue maximization funds for which it is awarded.

Section 6. If any section, subsection, sentence clause or provision of this Ordinance is held invalid, the remainder of this Ordinance shall not be affected by such invalidity.

Section 7. It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of this Ordinance, including any Sunset provision, shall become and be made a part of the Code of Miami-Dade County, Florida. The sections of the Ordinance may be renumbered or relettered to accomplish such intention, and the word "Ordinance" may be changed to "Section", "Article" or other appropriate word.

Section 8. This Ordinance shall become effective ten (10) days after the date of enactment unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

PASSED AND ADOPTED

Approved by County Attorney as
to form and legal sufficiency.

RAG

Prepared by

ES/RAL

Eugene Shy, Jr.

Sponsored by Chairperson Barbara Carey-Shuler, Ed.D.,
Commissioner Dorrin D. Rolle and Commissioner Natacha Seijas.